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August 28, 2017

Mr. Donald Wee
Chief Executive Officer
Tri-State Memorial Hospital
1221 Highland Ave.
Clarkston, WA 99406

Dear Mr. Wee:

We write today to express serious concerns about Tri-State Memorial Hospital's (TSH) abdication of its legal responsibility to ensure that limited English proficient community members and patients have equal access to pertinent information regarding hospital services and financial assistance.

Columbia Legal Services, a non-profit public interest law firm, retained an independent entity, the Equal Rights Center, to conduct a comprehensive survey of the availability of financial assistance to Spanish-language speakers in hospitals throughout Washington State. ERC used paired civil rights testers to pose as prospective patients, both English- and Spanish-speaking, to measure differences in the information they received from a sample of twenty hospitals, including TSH. The testing was conducted by phone and website research.

In TSH's case, the testers reported that the operator/receptionist spoke English only and were unable to successfully transfer the caller to a bilingual staff member. Perhaps most troubling, a tester was repeatedly told "no Spanish, English" following which the call was abruptly disconnected. This conduct violates both federal and state law, and prevents persons in greatest need from obtaining critical information regarding health care.

In addition, TSH's Charity Care policy contains several legal deficiencies. TSH includes both scholarships and grants as countable income contrary to state law. We were also surprised to see that TSH's Charity Care application requires a Social Security Number whereas the Washington State Hospital Association uniform form states that this is optional. Requiring a SSN places a chilling effect upon application and denial of an application for this reason is a violation of state law.

We urge you to immediately review your policies and practices and website, and take all steps to remedy these deficiencies without delay. Systemic denial of service to non-English



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proficient patients could constitute a deceptive act in violation of the Washington Consumer Protection Act.

Please respond within 30 days regarding this issue and describe steps that will be taken to ensure that non-English proficient patients will receive equal access to Charity Care and other services.

Very truly yours,



D. Ty Duhamel, Attorney
Tony Gonzalez, Attorney